

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: BROADCASTREAM COMMUNICATIONS	DOCKET NOS. TCU-00-1 WRU-00-10-3372
--	--

ORDER GRANTING APPLICATION AND GRANTING WAIVERS

(Issued March 21, 2000)

On January 12, 2000, BroadStream Corporation (BroadStream) filed an application for issuance of a certificate of public convenience and necessity, pursuant to Iowa Code § 476.29 (1999) stating its intention to provide facilities-based and resale local exchange service to small and medium-sized business customers in the Cedar Rapids, Davenport, Des Moines, and Waterloo exchanges.

Iowa Code § 476.29(2) (1999) provides that the local exchange carrier shall not be denied a certificate if the Utilities Board (Board) finds that the applicant "possesses the technical, financial, and managerial ability to provide the service it proposes to render and the board finds the service is consistent with public interest." The Board has carefully reviewed BroadStream's application and finds BroadStream has demonstrated that it has the necessary technical, financial, and managerial ability to provide local exchange service. It is in the public interest to grant a certificate to BroadStream.

BroadStream adopted by reference the U S WEST Communications, Inc., service area maps, which are on file with the Board. BroadStream requested a

waiver of 199 IAC 16.5(2), which requires it to use a prescribed system of accounts. BroadStream stated it employs an accounting system in accordance with generally-accepted accounting principles. BroadStream also requested the Board waive 199 IAC 22.3(2) that requires it to independently publish a directory, stating that it will provide for the listing of its customers' telephone numbers in the appropriate local directory. Finally, BroadStream asked the Board to waive 199 IAC 18.2 which requires that it to keep its records in Iowa. BroadStream does not plan to maintain its books in Iowa, but will cooperate with the Board to make its books available upon the Board's request. The Board will grant BroadStream's requests for waiver.

IT IS THEREFORE ORDERED:

1. The application for a certificate of public convenience and necessity filed by BroadStream Corporation on January 12, 2000, is granted, subject to the requirement that follows.
2. At the time BroadStream Corporation files tariffs with the Board, it must give notice to all affected local exchange carriers. Upon approval of tariffs to reflect the prices, terms, and conditions of local exchange service in Iowa offered by BroadStream Corporation and a statement that a 2-PIC methodology for dialing parity is available for all customers, the Board will issue a certificate of public convenience and necessity allowing it to provide local exchange service in Iowa.
3. BroadStream's concurrence in U S West's exchange maps is approved.

4. BroadStream's requests for waiver of 199 IAC 16.5(2), 18.2, and 22.3(1) are granted.

UTILITIES BOARD

/s/ Allan T. Thoms

/s/ Susan J. Frye

ATTEST:

/s/ Raymond K. Vawter, Jr.
Executive Secretary

/s/ Diane Munns

Dated at Des Moines, Iowa, this 21st day of March, 2000.